

**Virginia Coastal Resources Management Program
Public Notice of Updates to the Enforceable Policies of the Program
for which Federal Consistency will apply
Comment Period September 19, 2005-October 11, 2005**

Notice of intended action: This public notice is to inform interested parties of the Virginia Coastal Resources Management Program's intention to update the enforceable policies incorporated into the Program and to invite the public to comment on this change.

Purpose of the notice: The Coastal Zone Management Act (15 C.F.R. §923.84) requires state Coastal Zone Management Programs to formally incorporate changes made to the laws and policies that are used for Federal Consistency. The changes discussed here are considered to be Routine Program Changes, and therefore do not significantly affect the (1) uses subject to management; (2) special management areas; (3) boundaries; (4) authorities and organization or (5) coordination, public involvement and national interest components of the Virginia Coastal Resources Management Program. Upon concurrence by the National Oceanic and Atmospheric Administration, the policies discussed below will be incorporated into the Program.

A summary of the updates to the Virginia Coastal Resources Management Program is as follows:

- (1) **Executive Order 23 (2002)** - The Virginia Coastal Resources Management Program (VCP) was established in 1986 through Executive Order 13. The Order outlines the Virginia Coastal Program's policy goals, the agencies responsible for implementing and enforcing the program as well as the conflict resolution process. In 2002, a revised Executive Order 23 was signed which clarifies and consolidates the program's goals. This Program Change will replace the Executive Order currently authorizing the Program with Executive Order 23 (2002).
- (2) **Chesapeake Bay Preservation Area Designation and Management Regulations, Virginia Administrative Code (9 VAC 10-20-30 et seq)** - The Commonwealth of Virginia has revised the Commonwealth's enforceable policies in the Chesapeake Bay Preservation Area Designation and Management Regulations, 9 VAC 10-20-30 et seq. The previous Chesapeake Bay Preservation Area Designation and Management Regulations were incorporated into Virginia's Coastal Resources Management Program on May 29, 2000. By publication in the Virginia Register Volume 18, Issue 9 (Jan. 14, 2002), effective March 1, 2002, Virginia made revisions to the regulations. This Program Change incorporates the new regulations into Program.
- (3) **Chesapeake Bay Preservation Act, 10.1-2100 et seq.** - In 2005, an amendment to the Chesapeake Bay Preservation Act (10.1-2100 et seq.) was adopted which eliminates the Chesapeake Bay Local Assistance Department and transfers responsibility for administration of the Act to the Department of Conservation and Recreation. The Chesapeake Bay Local Assistance Board continues as the policy board for administration of the Preservation Act. This Program Change updates the department name referred to in the Act.

Public Comment period: September 19, 2005-October 11, 2005

How to Comment: Comments on these proposed changes should be submitted in writing directly to the National Oceanic and Atmospheric Administration **by October 11, 2005** at the following address:

Mr. Bill O'Beirne
Coastal Programs Division/ OCRM
SSMC4, N/ORM3, Room 11110
1305 East West Highway
Silver Spring, MD 20910
(301) 713-3155 Ext. 160

To review documents: The text of these changes as well as an analysis of their implication to the Virginia Coastal Resources Management Program is available on the Virginia Coastal Resources Management Program's web site beginning September 19, 2005 at www.deq.virginia.gov/coastal

If you require paper copies of any of these documents, please contact the Virginia Coastal Resources Management Program through Rachel Bullene at (804) 698-4122.